

**IN THE CIRCUIT COURT OF HOWELL COUNTY, MISSOURI  
CIRCUIT DIVISION**

ELIZABETH HALE,	)	
Plaintiff,	)	
	)	
vs.	)	Case No. _____
	)	
WAL-MART STORES EAST, L.P.,	)	
Defendant.	)	

**PETITION**

COMES NOW the Plaintiff, Elizabeth Hale, and for her Petition states:

1. That this cause of action accrued in Howell County, Missouri.
2. That Defendant is a corporation licensed to do business, doing business and capable of suing and being sued in the State of Missouri.
3. That on March 27, 2019, Defendant owned and operated a supercenter store in West Plains, Missouri.
4. That on the date aforementioned, there was water on the floor of Defendant's store and as a result the floor was not reasonably safe.
5. That Defendant knew or by using ordinary care could have known of the condition.
6. That Defendant failed to use ordinary care to remove, barricade, remedy or warn of the condition aforementioned.
7. That as a direct and proximate result of the failures of Defendant as set forth above, Plaintiff slipped and fell in the water on the floor of Defendant's store and

sustained damage and injuries to her right ankle, chronic pain of the right ankle, sprain of the talo-fibular ligament, said injuries causing Plaintiff to incur medical care expenses in the past and in the future, said injuries interfering with her ability to perform the work and other activities which she could perform before the occurrence without pain, limitations or restrictions, said injuries interfering with her ability to perform the non-work activities which she could perform prior to the occurrence without pain, limitations or restrictions, said injuries interfering with her ability to work and causing her to incur lost earnings in the past and the future, and said injuries causing her pain and suffering in the past and in the future.

8. That the amount in controversy exclusive of interest and costs does not exceed \$75,000.

WHEREFORE, Plaintiff prays for damages and judgment against Defendant in a just and reasonable sum commensurate with the amount of injuries and damages sustained by Plaintiff herein not to exceed \$75,000; for her costs herein expended; and for such other and further relief and orders as the Court may deem just and proper in the premises.

/s/ H. Lynn Henry  
H. Lynn Henry #23679  
1207 Porter Wagoner Blvd.  
P.O. Box 617  
West Plains, MO 65775  
417-256-8133 Phone  
417-256-8969 Fax  
ATTORNEYS FOR PLAINTIFF



**LAW OFFICES OF  
HENRY & WILLIAMS, P.C.**  
1207 PORTER WAGONER  
P.O. BOX 617  
WEST PLAINS, MISSOURI 65775

HAROLD L. HENRY  
(1924-2007)  
H. LYNN HENRY  
ROY E. WILLIAMS, JR.\*  
NIKKI KINDER

October 22, 2019

Telephone 417-256-8133  
FAX 417-256-8969

\*Also Licensed in Arkansas

**VIA ECF**

Howell County Circuit Clerk

RE: *Elizabeth Hale vs. Wal-Mart Stores East, L.P.*  
Case No. 19AL-CC00119

Dear Sir or Madam:

We are writing to request that you issue summons for Defendant, Wal-Mart Stores East, L.P., as follows:

Wal-Mart Stores East, L.P  
R/A: CT Corporation System  
120 South Central Avenue  
Clayton, MO 63105

Thank you for your attention to this matter.

Very Truly Yours,

/s/ *H. Lynn Henry*

H. Lynn Henry


HLH/ads



# IN THE 37TH JUDICIAL CIRCUIT, HOWELL COUNTY, MISSOURI

Judge or Division: STEVEN A PRIVETTE	Case Number: 19AL-CC00119	<b>FILED</b>  <b>10/23/2019</b>  <b>Suzanne Adams</b> <b>Circuit Clerk, Howell County Mo</b>  (Date File Stamp)
Plaintiff/Petitioner: ELIZABETH ANN HALE	Plaintiff's/Petitioner's Attorney/Address HAROLD LYNN HENRY P O BOX 617 WEST PLAINS, MO 65775-0617	
Defendant/Respondent: WAL-MART STORES EAST, L.P.	Court Address: HOWELL COUNTY CIRCUIT COURT 106 COURTHOUSE WEST PLAINS, MO 65775	
Nature of Suit: CC Pers Injury-Other		

## Summons in Civil Case

<b>The State of Missouri to:</b> WAL-MART STORES EAST, L.P. <b>Alias:</b> 120 SOUTH CENTRAL AVENUE CLAYTON, MO 63105  <b>HOWELL COUNTY</b>	<b>RA: CT CORPORATION SYSTEM</b>  <b>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</b>  10-23-2019 Date Further Information:	/s/ Suzanne Adams, Circuit Clerk By: Kerry Bussell, Deputy Clerk
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### Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_.

Served at \_\_\_\_\_ (address)  
 in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

### Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



# IN THE 37TH JUDICIAL CIRCUIT, HOWELL COUNTY, MISSOURI


Return SB  
11/22

Judge or Division: STEVEN A PRIVETTE	Case Number: 19AL-CC00119	FILED 10/23/2019 Suzanne Adams Circuit Clerk, Howell County Mo  (Date File Stamp)
Plaintiff/Petitioner: ELIZABETH ANN HALE	Plaintiff's/Petitioner's Attorney/Address HAROLD LYNN HENRY P O BOX 617 WEST PLAINS, MO 65775-0617	
Defendant/Respondent: WAL-MART STORES EAST, L.P.	Court Address: HOWELL COUNTY CIRCUIT COURT 106 COURTHOUSE WEST PLAINS, MO 65775	
Nature of Suit: CC Pers Injury-Other		

## Summons in Civil Case

The State of Missouri to: **WAL-MART STORES EAST, L.P.**  
Alias: **RA: CT CORPORATION SYSTEM**

120 SOUTH CENTRAL AVENUE  
CLAYTON, MO 63105

COURT SEAL OF  **HOWELL COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

10-23-2019 Date  
/s/ Suzanne Adams, Circuit Clerk  
By: Kerry Bussell, Deputy Clerk

**Sheriff's or Server's Return**

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: **LCW- B. LOVE** (name) **INTAKE SPECIALIST** (title).

☐ other: **CT CORPORATION** (address)

Served at **St. Louis County** (County/City of St. Louis), MO, on **NOV 08 2019** (date) at **9 AM** (time).

**Tiffany Mooney** Printed Name of Sheriff or Server  
**[Signature]** Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal) My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public \_\_\_\_\_

**Sheriff's Fees, if applicable**

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	\$ 10.00
Supplemental Surcharge	\$ _____
Mileage	\$ _____ ( _____ miles @ \$. _____ per mile)
<b>Total</b>	\$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

19-3MCC-10215

610210 NON

11/22



ST. LOUIS COUNTY  
CT CORPORATION  
NOV 08 2019  
INTAKE SPECIALIST  
9 A.M.

Based on the Supreme Court Rules governing eFiling, an eService email has been issued to the following parties:

SERVICE PARTY: HAROLD LYNN HENRY, Attorney for Plaintiff  
SERVICE EMAIL: april@henrylawfirm.com, lynn@henrylawfirm.com